



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

November 1, 2022

ROBERT PHILLIPS III, TREASURER  
MISSOURI SCHMITT VICTORY COMMITTEE  
2022

101 W ARGONNE DR #24  
SAINT LOUIS, MO 63122

**Response Due Date**  
**12/06/2022**

IDENTIFICATION NUMBER: C00822601

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2022 - 09/30/2022)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that 11 CFR §102.17(c)(5) prohibits a Joint Fundraising Committee from receiving contributions greater than the combined applicable limits of the participants as set forth under 11 CFR 110.1 and 110.2. The amounts disclosed on the attached chart appear greater than the total amount the two (2) participant committees of the Joint Fundraising Committee can accept.

Please provide clarifying information regarding this possible discrepancy. If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If the current Statement of Organization (FEC Form 1) fails to list all participants of the Joint Fundraising Committee, you must amend the Statement of Organization in order to show all participants.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount is properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint

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contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action promptly by providing the date and method of your remedy (refund, transfer to a non-federal account and/or reattribution) for each contribution. The committee should retain for its records copies of refund checks, transfers to nonfederal account, and/or letters reattributing the contributions in question." In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

2. Schedule A (see attached) discloses one or more contributions which appears to be from a corporation(s). Please be advised that 52 U.S.C. §30118(a) prohibits the receipt of contributions from corporations unless made from a separate segregated fund established by the corporation. Limited liability companies (LLCs) that choose to be treated as corporations under the Internal Revenue Service rules, or have shares that are traded publicly, are considered corporations. In the event that the LLC is treated as a partnership under IRS rules, the aforementioned contributions are to be attributed to each member in direct proportion to his or her share of the LLC's profit or by agreement of its members. Each member who has contributed in excess of \$200 for the calendar year should be identified by name, address, amount of contribution, name of employer, occupation and aggregate total on Schedule A. (11 CFR §110.1(g)(1) through (5))

If any apparently prohibited contribution in question was incompletely or

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incorrectly disclosed, you should amend your original report with clarifying information.

If you have received a prohibited contribution(s), you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly by providing the date and method of your remedy (refund and/or transfer to a non-federal account) for each contribution. The committee should retain for its records copies of refund checks and/or transfers to nonfederal account. In addition, any transfers out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to transfer out or refund the amount will be taken into consideration.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit [www.fec.gov/help-candidates-and-committees](http://www.fec.gov/help-candidates-and-committees). For more information about Requests for Additional Information (RFAI), why you received a letter, and how to respond, please visit [www.fec.gov/help-candidates-and-committees/request-additional-information](http://www.fec.gov/help-candidates-and-committees/request-additional-information). Should you have any questions regarding this matter or wish to verify the adequacy of your

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response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number(202) 694-1175.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Vivian".

Sarah Vivian

Sr. Campaign Finance & Reviewing Analyst

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**Apparent Impermissible, Excessive, and Prohibited Contributions  
MISSOURI SCHMITT VICTORY COMMITTEE 2022 (C00822601)**

**Apparent Excessive Contributions from Individuals**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
OLOUGHLIN, ROBERT	9/13/22	\$20,000.00	2022 October Quarterly
RICE, EDWIN	8/29/22	\$12,900.00	2022 October Quarterly
RICE, EDWIN	9/20/22	\$12,900.00	2022 October Quarterly
WOOD, HOWARD	9/20/22	\$20,000.00	2022 October Quarterly

**Contributions from Possible Prohibited Entities (Corporations, Labor Organization, LLCs)**

<b>Contributor Name</b>	<b>Date</b>	<b>Amount</b>	<b>Report</b>
CRAIG PORTER DEVELOPMENT LLC	9/30/22	\$5,000.00	2022 October Quarterly
MAE MEDICAL LLC	9/19/22	\$250.00	2022 October Quarterly
THE CIVELLA LAW FIRM. P.C.	9/19/22	\$250.00	2022 October Quarterly
WESTLAND PROPERTIES LLC	9/19/22	\$5,000.00	2022 October Quarterly